



PUBLISHED DAILY AND TRI-WEEKLY BY
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TUESDAY EVENING, JUNE 5, 1877.

The Washington Republican has joined forces with the Capital of the same city in attacking Gen. Wells, formerly provost marshal of Alexandria, but now U. S. Attorney for the District of Columbia. In its issue of this morning it says:—"Let us have a District Attorney who can prosecute into the penitentiary a rich man as well as a poor man. Mr. Wells has proved himself wholly unfit for his present position. He would make a first class detective, however, and in that capacity we trust that the Government will retain him in its employ." Considering the Republican's opinion of detectives, as frequently expressed, it must hold the General in no higher estimation than he is held here. He gained no laurels in the army, none as the military Governor of Virginia, and now we have the authority of the organ of his own party for asserting that he has gained none as District Attorney of Washington.

Indications point more and more to the certainty of the war that is to be made upon the President by the "stalwart republicans." The late letter of Mr. Wade, the memorial oration of Mr. Boutwell, and the writings and utterances of various others of the leading members of the radical party have rendered it apparent that hostilities were only held in abeyance, but the speech of Gen. Butler, last night, shows that skirmishing has already commenced. By the time Congress meets the opposition forces will be completely organized, and the war will doubtless be prosecuted vigorously. The strength Mr. Hayes will lose, however, by this movement will be infinitely less than that he will gain by the conciliatory and patriotic course he is pursuing.

The President is not only right in his Southern policy but on the money question also. Indeed if he were only a little more careful in the matter of appointing to office and listening to the counsel of those who were chiefly instrumental in the successful accomplishment of the fraud by which he was inaugurated, people would almost forget that unfortunate affair, or at least be disposed to condone the part he took in it. He is favorable to the recoinstitution of silver. Gold and silver have always been the standards of value, and the nearer we approach the institutions of the past, in financial as in other affairs, the happier will be the people and the greater the prosperity of the country.

The investigation of all claims for fuel, forage, &c., taken from loyal citizens for the use of the army during the war, has been suspended by the quartermaster's department, in order that said claims may go before the Southern Claims Commission.

Letter from Fairfax.

FAIRFAX COURT HOUSE, June 2, 1877.—There are two subjects that are absorbing the conversational powers of our citizens just now: One is the hot and dry weather that we have been enjoying (?). No rain has fallen here since the 15th ultimo, and in consequence thereof the ground is very hard, and the gardens are suffering. The other subject is the locusts. On Sunday morning, May 20, at 9 o'clock, one locust trilled out his warbling note all alone, in a few minutes he was answered by another, and in a few hours they had gained in numbers considerably. As we now write the air seems filled with a noise similar, we suppose, to that which pervaded Egypt in the days when old Moses called out his locust brigade. The woods sound like Atzi's Pond, where the frogs croaked from sunrise till even for six years. The annual summer festivities will begin here next Tuesday night. The first thing on the boards is an entertainment to be held at "Templar's Hall" on Tuesday evening in the interest of our school. Prof. W. T. Stokes will array the talent of his boys and girls in such a way as to promise a pleasant evening to those who may attend. On Thursday evening, at 8 o'clock, the 7th, the ladies of our village will give a vocal and instrumental concert at the M. E. Church South of this place. The proceeds will be devoted to that church and we promise all a most enjoyable season upon that occasion. The ladies deserve great credit for their efforts in bringing about this pleasant entertainment. They have not spared any pains in getting up the concert, and as the object is a laudable one, we trust that a crowded house will witness the debut of the "Fairfax Philharmonic." The programme is a rare collection of both vocal and instrumental music. We cordially invite our friends in Alexandria and vicinity to attend. On Friday next the Good Templars of this place will have their annual strawberry festival. A pleasant time is anticipated, and as the former occasions have been such successful ones we cheerfully hope that the one next Friday will be up to the usual standard. Our June term of the Circuit Court will convene here on Monday, 11th inst. His Honor, Judge Blow, of Norfolk, will preside, as Judge Keith will not be able to attend, owing to sickness in his family.

The forest fires in the lower peninsula of Michigan extend from Tawas to Harrisonville, a distance of forty miles along the shore of Lake Huron, and for an indefinite distance inland. The destruction of standing timber, saw logs, banked fences, farmers' barns, dwellings, &c., is very great. No towns are in immediate danger, but unless a heavy fall of rain soon comes none can tell where or when the fires will cease. Persons arriving in New York report the smoke from these fires as being very dense and extending over the length of Lake Huron, making all navigation dangerous. The fires are raging in Delta, Marquette and Schoolcraft counties, in the upper peninsula.

C. & O. CANAL.—The annual meeting of the stockholders of the C. & O. Canal was held in Alexandria yesterday. Alexandria was represented by J. W. Burke, esq. The report of the President states the tonnage during the year 1876 to have been 654,469 tons of coal. An election was held with the following result: President, A. P. Gorman; Directors, James G. Boret, M. Bannon, B. B. Crawford, H. D. Farnandis, P. Hamill and John Humbird. The meeting adjourned to meet at Annapolis the 1st Tuesday in August.

The Eastern War.

Mukhtar Pasha has established his headquarters at Heuprikay, about thirty miles east of Erzeroum, for the purpose of barring the advance of the Russian left wing from Toprak Kaleh. Ismail Haki, commandant at Erzeroum, has taken a position near Kizil Kilissa, between Bardaz and the Soghahlu pass, to meet the Russian centre and right, advancing via Soghahlu and Ali.

The Turks claim that they have driven the Russians from the neighborhood of Sukum-Kaleh, thirty hours' march in the direction of Mount Elbrouz.

Russian scouts have been seen from the heights of Jenikay. The retreat of the Ottoman corps from Karakilissa to Perak, Kaleh and Delibata is threatened by an advance detachment of the Russian centre. It is now denied that the Russian right wing has reached Kizil Kilissa. It has not advanced beyond Olti.

A Christian doctor who deserted from the Turkish army at Trebinje gives a gloomy account of the condition of the army. Two thousand and four hundred men have died at Trebinje since the campaign began, that city being the hospital depot of the army now concentrated at Gatcheko, which consists of thirty-six battalions of three or four hundred men each. Of these at least half are suffering chiefly from scurvy. There is also much dysentery. The physicians and surgeons are subject to fanatical outbreaks of the Mussulmans, are continually menaced and insulted and never paid. Three thousand men are sick at Mostar, and deserters from Podgoritz report the same condition of affairs as prevailing there. The troops are underfed, having nothing beyond the barest means of sustaining life. They are compelled to work continuously on the earthworks. The health of the Montenegrin forces is excellent. The hospitals are quite empty.

A dispatch from Ostrak reports that the Prince of Montenegro has effected a junction with the corps under Gen. Vukovitch, which holds the Duga pass. The Turks tried to prevent the junction, but were repulsed.

It is reported that the Russian monitors had succeeded in forcing the Salina mouth of the Danube is unconfirmed. It seems too much to suppose that the Danube is now open to navigation. The Salina left the Salina mouth unguarded. It is difficult with the Kilia branch.

The Salina branch of the Danube is very shallow, some of the flat bottomed Russian monitors, which are supposed to be in readiness at Nicolaeff may have made their way down and succeeded in passing over the bar.

Part of the Roumanian militia has been disbanded. The remainder will probably be dismissed within the next fortnight, because of the emptiness of the treasury.

The European Cabinets have been occupied for some days in considering territorial changes in Asia which may result from the war. The basis of a final arrangement in Europe will be the Protocol. The Russian Telegraphic Agency says the turloughs of the Russian ambassadors to London, Berlin and Vienna are altogether unconnected with politics. The ambassadors could not have conferred, as alleged by foreign papers, for they went to different parts of Russia.

The Times' correspondent at Paris telegraphs that he has reason to believe the assurance which it now seems certain Count Schouvaloff brings relative to the eventual temporary occupation of Constantinople are in answer to a question put by England as to Russia's intentions relative to Constantinople. It is known that Russia believed herself obliged to reply to such a question she would be equal, at least officially, to do so otherwise than as alleged. A nation knowing its capital ran no risk of occupation would be disposed to consent to the conqueror's terms. At most Russia could give England assurances and secret guarantees in case an eventual temporary occupation of Constantinople should seem seriously dangerous to British interests. This certainly not be the only delicate point in Russia's reply. She will say: "I will not touch Egypt or the Suez Canal." But she will not say what she will do.

The Standard's Vienna correspondent asserts that the following is undoubtedly true, being from an unimpeachable source: The Grand Duke Nicholas recently said to a foreign consul: "Neither Prince Bismarck nor Lord Derby will prevent us from entering Constantinople as the Germans entered Paris—only to leave it again."

The London Times' Bucharest dispatch says the Danube at Galatz is fifteen feet above its ordinary level. The London Times' Vienna special says: "According to the latest intelligence the Car will remain at Kishineff for the present because the breakage of bridges is so great as to block the traffic on Roumanian railway lines."

The London Times' special from Ostrak says Suleiman Pasha's vanguard is expected to reach Krastov on Monday or Tuesday. It is believed he will tempt a diversion towards Grahovo. Several Montenegrin battalions have been sent to hold that road.

A dispatch from Pesth says a communique published in official papers states that despite her objections, the initiative relative to peace must be taken by Russia.

The Christians of Laroite, in the Island of Cyprus, have asked the British Admiral of the Mediterranean fleet to send a man of war to protect them against the necessity arise.

The Grand Duke Nicholas has communicated to St. Petersburg his disappointment at the difficulty of coming to terms with the Roumanian government. Letters from Bucharest indicate that the active co-operation by the Roumanian army is doubtful after the Russians cross the Danube.

A Vienna dispatch reports that a number of bulletins from the Russian commander-in-chief of the Caucasus seem to show that the insurrection has spread toward the Caspian Sea, for a successful expedition is recorded against a tribe on the Eastern slope of the Caucasus, which forms a part of Daghestan. The bulletins report that Gen. Kravchenko had a hot engagement with 3,000 of the enemy in passing over the bridge of Boyada. From this it would seem he has been obliged to leave the position above Sukum Kaleh and fall back behind the river Kados, where a force is being assembled to prevent the Turks from invading Mingrelia.

It is thought probable that the Circassian insurrection may now spread and close the military roads along the Caspian Sea. Orders have been sent to Astrakhan to embark reinforcements to be landed on the Eastern Caucasian shore.

The Brussels Le Nord, the Russian organ, publishes a letter from St. Petersburg, which says: "If, after crossing the Danube, Russia is able to conclude a peace and at the same time realize her programme, and if the powers adopt towards Turkey an attitude sufficiently firm to complete the lesson received from the arms of Russia, then an equitable and dignified peace might be arranged, and the necessity of pushing the war to extremes be avoided."

A dispatch from Constantinople says Parliament will be immediately dissolved. The Presidents of the two Houses were summoned to the Palace last Thursday, and the Sultan discussed with them the best means of closing the Chamber without public scandal.

The Vienna correspondent telegraphs that the Serbian government has sent the Porte an energetic note, declaring it will recover the island of Bokajik, in the Drina, by force, if the Turks refuse to evacuate it. Copies of the circular will be sent to the European powers.

The Berlin correspondent of the London Times says: "It is asserted on good authority that Count Von Moltke regards Russia's chances as steadily improving in consequence of the extraordinary negligence and lack of foresight of the Turks."

A Vienna dispatch says: "It appears that the Turks exaggerate their troubles. It is be-

lieved that the main body of the Russian centre is still near Kars, and that the recent panic at Erzeroum was provoked by firing crops of Cosacks and irregulars."

A band of Circassians and bashi-bazouks, about a hundred in number, volunteered to cross the Danube at midnight in face of the Russian batteries and capture the sentinels. They succeeded in the attempt, surrounded a guard house, attacked the guard and killed several Russians. They also captured fifty head of cattle and took some prisoners. An examination of the prisoners revealed the fact that Giorguevo and the neighboring villages were crisscrossed with Russian lines. Much excitement was created by a statement made by one of the prisoners to the effect that a Bulgarian church in Kustchuk had been undermined by Russian intrigues with a view to have it blown up and the Turks accused of the crime so as to arouse the indignation of the neighboring Christian States.

CRITIQUE, June 5.—There was a battle today near Maljot, lasting several hours. The Turks were defeated and lost 500 men. The Montenegrin losses are not ascertained. [Note.—The foregoing is from a Slavonic source.]

News of the Day.

A detective has returned to Norristown, Pa., from Penn. Lynn with a negro who is suspected of being one of the murderers of Mrs. Rader. He is badly wounded in the wrist, and the cap found in Rader's house has been identified as belonging to him. He acknowledges having been in company with the two murderers all night, up to the time they ascended the ladder to enter Rader's room. He also admits having procured the ladder for them, under threats of death if he refused. He claims that he fled as soon as the men entered the house, and that he was a quarter of a mile from the house when the shooting took place. No doubts are entertained of his being one of the parties who were in the house. Search is still being made for the other man.

Rev. J. M. Friday of the Lutheran Church at Harper's Ferry, Va., was drowned in the canal in that place last week. Notwithstanding a verdict of accidental drowning was rendered by the jury, subsequent investigation indicates that he was murdered. On the head of the corpse there were marks of several blows. The water was only about four feet in depth where he was drowned.

There was a slight change in passenger rates yesterday, the Pennsylvania company fixing the fare from Chicago to Baltimore, Philadelphia, Washington and Harrisburg at \$15, a slight advance over the rates announced at the commencement of hostilities. The Lake Shore immediately adopted the same figures, and beginning to-morrow, the Baltimore and Ohio will sell tickets at like rates.

The Rev. Mr. Slicer, son of the late Rev. Henry Slicer, of Baltimore, has taken charge of the Park Congregation Church, Brooklyn, N. Y. Until recently Mr. Slicer was a zealous minister of the Methodist Episcopal Church. The only reason Mr. Slicer gives for changing churches is that he did so at the dictates of his conscience, and after earnest and prayerful consideration.

Saturday, a former employee of Charles Fend, a butcher of Tompkinsville, Staten Island, applied to the latter for some money due him. A quarrel ensued during which Fend threw a large cleaver at the man's head, splitting his skull and injuring him so badly that he died yesterday afternoon.

This morning, as a freight train approached the bridge at Albany, the draw was open, and as the engineer could not stop the train in time the locomotive and tender plunged into the river. The engineer and fireman jumped off on the ground and escaped injury.

A waterspout yesterday morning flooded the country two miles northeast of Burlington, Iowa, causing Hawkeye creek to suddenly overflow and do several thousand dollars' worth of damage to foundries, machine shops and agricultural works.

The trains on the different railroads in Canada were much delayed yesterday morning on account of caterpillars on the track. They are swarming by millions. The Port Stanley Railroad found it necessary to shorten its trains.

The St. Louis and San Francisco Railroad Company has offered a reward of \$1,000 for the apprehension of the gang of desperadoes who attempted to wreck and rob a train on that road on Sunday night last.

A gang of horse thieves and counterfeiters of the Orange agency were arrested at the Central Indian Superintendency yesterday. Stamps, dies, &c., were secured, and the prisoners sent to Fort Smith.

The grand jury of Queen's county, N. Y., have indicted Gaff, Fleishman & Co. for selling swill milk.

General Crook expresses the opinion that no more troops are needed in Utah.

Terrible Storm.

A terrible storm struck Mount Carmel, Ill., yesterday, by which sixteen men lost their lives and half a million dollars' worth of property was destroyed. Among the killed are Alderman Watkins, Wm. Newkirk, Mr. Goodrich, Mr. Barton, Masterman Child, Fred Yeoke, Geo. Moore, Geo. Brian, Chas. Norman, J. A. Egar and John Trennis. A large number were wounded, several of whom will undoubtedly die. The bodies of four killed were burned. There are at least twenty five still missing.

Later information says four more bodies have been found, and two of the wounded have since died. The ruins of buildings are burning, threatening the total destruction of the town.

A dispatch from Mattoon, Ill., says the severest storm ever experienced there occurred at 5:30 p. m. yesterday. Wind, which was a gale, was followed by a perfect flood of rain, came from the southwest, sweeping a lane about a hundred feet wide to the northeast, uprooting and overturning buildings and residences. The dwelling of Willis Walkup was struck, thrown into the street and turned upside down, wounding Mrs. Walkup very seriously. Several buildings were entirely demolished.

CINCINNATI, June 5.—Mount Carmel, Ill., which was nearly destroyed by a tornado last evening, is a thriving town of about 3000 inhabitants, on the Cairo and Vincennes railroad. The most prominent buildings destroyed were the court house, two newspaper offices, three churches, one of them the finest in Southern Illinois, and two schoolhouses. About twenty business houses and nearly a hundred residences were destroyed or damaged either by the storm or by fire. The loss is estimated at from \$300,000 to \$500,000. The same tornado damaged a number of buildings in other towns lying in its path.

CINCINNATI, O., June 5.—The Commercial has the following account of the disaster at Mount Carmel, Ill.: The tornado passed over the town at about 3:30 o'clock last evening. It struck the town at the south end of Cherry street and passed almost due north, taking in about one square east and west and destroying almost everything in its course. Twenty-two dead bodies have been found thus far.—The damage to property is estimated at three hundred thousand dollars. The fire was finally subdued after six hours steady work by the firemen. Many persons were wounded whose names cannot now be ascertained. The loss of life cannot now be estimated as a number of farmers were in from the country whose towns were scattered among the debris.

The Arlington Estate.

The newspapers contained an announcement lately that Gen. G. W. Custis Lee had instituted an action of ejectment for the recovery of the famous Arlington estate, containing the Arlington cemetery, the former residence of George Washington Parke Custis and General (then Colonel) Robert E. Lee. It was stated that notice of the suit was served on April 12 upon the officers in charge of Arlington and Fort Whipple, and upon the other occupants of the estate. I have no doubt that the announcement was to many persons a great surprise. The popular impression had been, and probably still is, that the Arlington property belonged to General Robert Lee, and was therefore legally confiscated, or that it was his property, but that of Mrs. Lee and her son, and that the Government had obtained it in a way which might perhaps be mean or oppressive, but which at all events was certain and conveyed a valid title. As the War Department has taken possession of this property, and converted a part of it into a Federal cemetery, burying there some nineteen thousand of the Union dead, it was only reasonable to assume that they had acted with due caution, and had shown a proper respect for the gallant dead by burying their remains upon land which the Government really owned and was able to protect in its own courts of law.

The Arlington estate comprises about eleven hundred acres. It lies on the south bank of the Potomac, directly opposite the President's house; but the land, which is bounded by the river, soon rises into a bold and commanding height, and here is placed the old Custis mansion, built in the old style, with a portico and high pillars in front, a broad hall, spacious old-fashioned rooms and out-houses. Have, vandalism and hate have done their wretched work here, and wrought sad changes; the old Mount Vernon relics are stolen, scattered and lost, but there is still an aroma, so to speak, about the old house which is pleasant to any one who has a reverence for the men and deeds of the past. Mr. Custis was not allied by blood with General Washington, but he was his stepson, and his adopted son. His memory of the great patriot and hero was vivid and accurate; he delighted to talk about him, and of the men and events of that day. My own earliest recollections of Arlington evoke the image of two old gray-haired men, one Mr. Custis, and another still older (my own father), both of whom had known and seen "the General," and who perfectly remembered everything about him, chatting under the oaks at Arlington of the old days and the men of that great era. There is yet another form on the canvas. There was the tall and stately form of Colonel Robert Lee, fresh from the battle-fields of Mexico, where, as the favorite engineer and counselor of Winfield Scott, he had placed the campaign which culminated in such wonderful success. The rising soldier, the pride of the American army, had even then much of the grave and sweet dignity which we love to associate with a true Christian knight and warrior; but there was aught of the sadness which the strain of a four years' war, followed by a peace more cruel than war, was destined to impress upon his manly features. And then, as we look upon him, we are struck with the thought that he had been more than sufficient for one so modest as he; a sweet home, the property of his wife, a congenial profession, ample means, children, "love, honor and troops of friends." The atmosphere of the old mansion was redolent not only of cherished memories, but of virtue, happiness and joy. It was a typical Southern home, and to say that tells the whole story. A generous enemy would have spared it. Grant, McClellan, Buell, Meade and Thomas, I believe, would have protected it, but Mr. Stanton was cast in a different mold. Rough and brutal by nature, he echoed the worst passions of the hour. War upon non-combatants, destruction of growing crops and implements of husbandry, making medicines contributory to war and refusal to exchange prisoners entered largely into his theory of military strategy. The consequence of that was a fine thing to see the property of Mrs. Lee (for he knew that it was hers), and by covering it with a Federal cemetery, to put what he supposed would be an insuperable bar to its future recovery by the General Lee or any of his family. For this reason of site he used the dead bodies of Union soldiers, whose dangers he had never once shared, just as he used them when alive, refusing to exchange, that he might intensify the sufferings and augment the passions of the war.

The facts of the history of Arlington and the law showing where its title belongs are well and forcibly stated by Senator Johnston, of Virginia, in a speech made by him in the United States Senate on the 21st of March, 1875, and to it I refer those who may wish to put themselves upon the question. I shall have to deal with the matter more briefly. Arlington was the property, as we all know, of George Washington Parke Custis, who died in 1857. By his will, which was duly probated, he devised as follows:—

I give and bequeath to my dearly beloved daughter and only child, Mary Ann Randolph Lee, my Arlington estate, in the county of Alexandria and State of Virginia, containing eleven hundred acres, more or less, and my mill on Four-mile Run, in the county of Alexandria, and the lands of mine adjacent to said mill, in the counties of Alexandria and Fairfax, in the State of Virginia, the use and benefit of all just mentioned during the term of her natural life, together with my horses and carriages, furniture, pictures and plate during the term of her natural life.

The will also contained this provision:—On the death of my daughter, Mary Ann Randolph Lee, all the property left to her during the term of her natural life, I give and bequeath to my eldest grandson, George Washington Custis Lee, to him and his heirs forever, he, my eldest grandson, taking my name and arms.

It is questioned whether this gave G. W. Custis Lee a vested or contingent interest. If the remainder was contingent, then G. W. Custis Lee had no estate in the property till the death of his tenant. If it was a vested interest, he had no estate in possession till that event. On the death of Mr. Custis, Gen. Lee and his wife took possession of the Arlington property, and resided there till the war broke out in April, 1861. The property was placed on the Commissioner's books in the name of Mary Ann Randolph Lee, and the taxes were assessed against her. She had no trustee, and the estate was held by her.

With the outbreak of the war Gen. Lee entered the military service of Virginia, his wife and daughter followed him, and during the war, she was a pauper, and had to be moved about, at the time, in a chair. Arlington fell into the hands of the Union forces and was occupied.

On the 6th of August, 1861, Congress passed "an act to provide increased revenue from imports to pay interest on the public debt and for other purposes," and on the 7th of June, 1862, passed "an act for the collection of direct taxes in insurrectionary districts within the United States, and for other purposes," and on the 6th of February, 1863, enacted still another law, entitled "an act to amend an act entitled 'an act for the collection of direct taxes in insurrectionary districts within the United States, and for other purposes,' etc."

The act of 1861 imposed a direct annual tax of \$20,000,000 upon the United States, and appropriated \$977,552.67 as the share of Virginia. The same law provided the appropriate machinery for assessing and collecting the tax. Unfortunately the work devolved upon three commissioners in this vicinity, and the law, it seems, could not provide them with brains or common honesty. The tax imposed upon Ar-

lington was \$92.07. Both the Treasury Department and the commissioners appointed under the law ruled, in construing these statutes, that nobody could pay the taxes assessed except the person against whom and in whose name the tax was charged. This fact is matter of judicial proof and record in the case of Taey vs. Irwin, reported in 18 Wallace, and also appears by a letter of the Commissioner of Internal Revenue, dated 20th December, 1874, addressed to Hon. George E. Wright, of the U. S. Senate.

The object of this rule was sufficiently obvious. The intention was to punish all persons inside of the Confederate lines, not by a confiscation which would involve formal proceedings in court and scene something for the Government, but by the shallow forms of a tax sale, which would give good opportunities for private speculation by the Commissioners or their friends. The rule had not only revenge but "business" in its contemplation.

Mrs. Lee, of course, could not appear and pay the tax to proper person, even if she had known of these proceedings. Payment of the tax of \$92.07 was, however, tendered in behalf of Mrs. Lee by one of her friends, and the money refused by the Commissioners. The sale of the land then would have dictated the sale of so much of the land only, or the mortgages, as would have sufficed for paying this trilling tax, but this was not done. The whole of the great Arlington estate was sold to pay a potty tax of \$92.07. Under the act of February 6, 1863, the President of the United States had the power to have such land struck off for Government use for "war, military, charitable and educational purposes," and the land was struck off on January 6, 1864, to the United States for the sum of \$20,800. What became of this money I can not now say, but none of it ever went to the Lees. The Government took fresh possession under this proceeding. Two hundred acres were appropriated for the cemetery and the remainder used for forts and negro colonies. All this was Mr. Stanton's work, and it was worthy of his heart and head.

Similar cases to the above occurred in Virginia, and the owners, after the war, resorted to law to annul the proceedings and recover their land. In every case they have been successful both in the State and the Federal courts. In the case of Bennett vs. Hunter, reported in 18 Grant and affirmed by the Supreme Court (9 Wallace), the court held that "the right of payment might be exercised by the owner in person, or through any other person willing to act in his behalf." They therefore set aside the certificate of tax sale under which the party in possession claimed to hold. This is the Arlington case precisely, payment of the tax having been specially tendered by a friend of Mrs. Lee and refused by the Commissioners.

In Taey vs. Irwin (18 Wallace) the court went further, affirming the forbidding payment by anybody else the owner in person, dispensed with the necessity of a tender in any case, and rendered all such sales invalid.

These decisions show that the title of the United States to the Arlington estate is utterly invalid, and can not stand before the courts for a single moment. The reasons why the sale is void are summed up by Judge Johnston:—

"First—Because any law which requires a sale of a whole tract of land to pay a tax is unconstitutional, if the land can be divided and a part would pay the tax and charges. (Bennett vs. Hunter, 18 Grant; affirmed by Supreme Court, 9 Wallace.)"

"Second—Because I believe it can be proved that the tax was actually tendered before sale."

"Third—Because the rule acted upon by the commissioners, not to take the tax from any one but the owner in person, made all sales void."

"Fourth—Because the United States can not acquire land in a State, and jurisdiction over it, without the consent of that State."

"Fifth—If cases in any event, admitting the right to sell land for tax, only the interest of the party in default should pass, and not that of persons holding a remainder or reversion, and who were unable under the law itself to protect their own interests."

Such is a brief statement of the law in the case, and from it any one can determine how for the Government title is likely to be upheld. The Federal courts, the Supreme Court itself, have passed on the questions involved, and if they have not already affirmed the title of this particular estate to be in the Lee family, it has been simply from their forbearance and unwillingness to bring suit while there was a prospect of justice being accorded without recourse to litigation.

General Robert E. Lee died in October, 1870. His widow, Mrs. Mary A. R. Lee, the daughter of Mr. G. B. Lee, and to whom he bequeathed Arlington, died, and her husband died in November, 1872. The life estate then determined, and the title passed to George Washington Custis Lee under the terms of the will of Mr. Custis.

During the lifetime of Mrs. Lee, on the 22d of January, 1872, Senator Johnston, of Virginia, presented a petition from Mrs. Lee touching the Arlington property. He recited its substance as follows:—

The petitioner states that the Arlington estate was devised to her by her father, George W. P. Custis, for life, and at her death, to her eldest son. She states that, during the war, the whole estate was sold for taxes, for \$92; that the sale was irregular. She says in her petition that she understands the property is devoted by the Government to the purposes of a national cemetery; that she does not desire to disturb the United States in the possession of the property for that purpose, and simply asks that her claim be recognized, and that if found good the United States Government pay her for the property. On motion of Senator Johnston the petition was ordered to be printed. Nothing, however, was done with it. After this neglect, Mrs. Lee would have been abundantly justified in resorting to the courts of law to secure her right, but she proceeded to make a compromise with the Government, and would have been bound by the compromise to pay to the Government a national cemetery, and to make yet another appeal to the justice of Congress.

On the 6th of April, 1874, Senator Johnston once more brought the matter before the Senate. The title was then recited in General G. W. Custis Lee, and a memorial from him was presented, reciting the defects of the Government title, and referring to the recent judicial decisions of the United States Courts in precisely similar cases, and asking that the title be restored to the Lee family.

"The Government by its agents is in possession of the Arlington house estate," claiming title under the tax sale certificate. It has been devoted, as your petitioner is informed, to the purpose of a national cemetery, and the Government is willing to avoid litigation, by the purchase of the estate upon the payment of the sum of a just compensation. Such a purpose was expressed by Mrs. Mary A. R. Lee, the tenant, and your petitioner renews the proposal to reimburse and convey to the United States, by valid deed, her simple title of the estate upon the payment to her of its fair and just value. Your petitioner has thus candidly presented his views of his claim, and respectfully asks for the passage of a law making the necessary appropriation for the purchase of said estate by Congress, upon the execution of a legal deed conveying a complete and valid title to the same to the United States.

At the time of presenting this memorial Senator Johnston, after again fully explaining the subject to the Senate, offered a bill conferring upon the Court of Claims jurisdiction to hear the case, and if the title of Mr. Lee is found good, to award the proper compensation. The bill was passed by the Senate, and the case of the Arlington house property of Arkansas, where the land was claimed both by the Government and the citizens.

Nothing could be better than the bill proposed. It was to test the matter by a friendly suit, with

right of appeal to the United States Supreme Court—a court without a "rebel" on its bench, a man of Southern birth of any political antecedents. But the proposition was met with the same bitter prejudice as the previous petition of Mrs. Lee had encountered, and the Judiciary Committee reported adversely.

From this narrative, which I could not well have made shorter without omitting points essential to a proper understanding of the case, it will be seen that Mrs. Lee and her son were robbed of the property by a proceeding as disgraceful and illegal, that the United States Courts had signally failed to protect the titles brought before them; that the Government had an easy and effectual remedy to oust the holders at Arlington by the courts of law, but they out of respect for the purposes to which the property had been devoted they forbore litigation, and appealed to Congress again and again for payment. They have acted generously and nobly, but this role is now useless and exacting. The malignity and perverseness of Mr. Edmunds and his associates blocks the way of the Government taking the only steps by which the wrong ground of nineteen thousand of the Union dead of Arlington can be rectified by a valid title in the United States Government. Mr. Edmunds thinks it better that the Government should appear at Arlington in the attitude of a trespasser. Perhaps there is a hope that, by leaving the matter to rest to itself, something of the old decency of the war may be restored, and the "Northern heart" once more healed. It is not so easy to "live the Northern heart" as it once was; certainly not so easy as it is now a certain radical Senator to fit himself up in private applications to the whiskey bottle, and use the afternoon hours of the Senate for whatever the motive, the issue of the question thus forced upon General Lee can very readily be predicted. The courts are bound to decide in his favor, and the Government need will be disposed. The owner may be ousted out of his back seat, but in the end the Government will be the victor, and the Lee family, from General Lee, Public opinion will condemn it. At present the matter is proceeding quietly, but as the title approaches a termination it is certain to create public attention and possibly some political excitement. Which has more in this business the greater respect for the dead at Arlington, the "rebel" General Custis Lee or the loyal members of the Judiciary Committee of the Senate?—Washington correspondent of the Louisville Courier-Journal.

Foreign News.

A dispatch from Calcutta says:—The news from the famine districts is much more cheerful. A general rainfall has greatly improved prospects.

There is excitement in Paris in consequence of the arrest of M. Dauderit, President of the Municipal Council. It is quite legal, but most unusual to arrest people for offenses by writing or speech. Offenders in this way are generally left at liberty till trial, even without bail. In this case even bail was refused. M. Dauderit denies the charges against him. The impression produced is bad, as the prisoner is popular with the lower classes. He is a man of education and independent means. He is charged with insulting Marshal MacMahon, and inciting civil war and assassination. M. Helou, a Republican, who was at the head of the Paris service connected with the Exhibition of 1875, has been dismissed from his office.

A telegram from Athens says:—A meeting of 8,000 persons at the Stadioum, and resolutions were adopted declaring the necessity for forming a Ministry of Leaders of the respective parties, so that discussions in the Chambers may be avoided, and that the Government carry forward military preparations promptly and energetically. A deputational committee, headed by the meeting, urged the Chamber of Deputies have adopted a resolution calling upon the party in power to make an understanding today about the formation of a coalition Ministry, in view of the extraordinary circumstances in which Greece is placed. A letter from Athens reports that Constantinos, Zaimis, Thrassios and Deligeorgis held a long conference yesterday, and drew up a basis of policy for a Cabinet of which all four should be members. It was stated that today the necessary agreement had been completed.

The authorities of St. Thomas, in the Gulf of Guinea, have discovered and secured the separation of the island from Port-au-Prince, and documents are being forwarded to the Port-au-Prince authorities, who have committed suicide.

The King of Dahomey paid the funeral of his hundred thousands of slaves, and the funeral was held on the 13th of May. The funeral of the King of Dahomey was held on the 13th of May.

Sir Henry C. Pelly, member of Parliament for Huntingdon, died of stroke on the 14th of May yesterday.